

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

United States of America

v.

Angela Rodriguez,

Defendant.

Deferred Prosecution Agreement

20 Cr. 39 (RA)

TO: Angela Rodriguez

On January 15, 2020, Indictment 20 Cr. 39 (RA) was returned by a Grand Jury in the Southern District of New York, in which you are charged with committing offenses against the United States, to wit, conspiracy to commit bank fraud, in violation of Title 18, United States Code, Section 1349 (Count One), and aggravated identity theft, in violation of Title 18, United States Code, Sections 1028A(a)(1), 1028(b), and 2 (Count Two) (the "Indictment"). However, after a thorough investigation, it has been determined that the interest of the United States and your own interest will best be served by deferring prosecution in this District. Prosecution will be deferred during the term of your good behavior and satisfactory compliance with the terms of this agreement for the period of one year from the signing of this agreement. The terms and conditions constituting your good behavior and satisfactory compliance are as follows:

- (1) You shall refrain from violation of any law (federal, state, and local). You shall immediately contact your U.S. Pretrial Services Officer if arrested or questioned by a law enforcement officer.
- (2) You shall associate with law-abiding persons only.
- (3) You shall work regularly at a lawful occupation and/or regularly attend school and support your legal dependents, if any, to the best of your ability. When out of work or not attending school, you shall notify your supervising U.S. Pretrial Services Officer at once. You shall consult him or her prior to job and school changes.
- (4) You shall not leave the Southern or Eastern Districts of New York or the District of New Jersey without permission of your supervising U.S. Pretrial Services Officer.
- (5) You shall notify your supervising U.S. Pretrial Services Officer immediately of any change in your place of residence.
- (6) You shall follow your supervising U.S. Pretrial Services Officer's instructions and advice.
- (7) You shall report to your supervising U.S. Pretrial Services Officer as directed.

As a further condition you hereby consent to disclosure, by any federal, state, or local Government agency, or by any medical or substance abuse treatment provider, to the U.S. Pretrial

Services Officer supervising your case, of such medical and treatment records as may be requested by the U.S. Pretrial Services Officer to evaluate deferral of prosecution in this case. You further agree that you will execute any additional consent forms that any such agency or provider may require to release such information.

Special conditions are as follows:

Pursuant to 18 U.S.C. §§ 3663 and 3663A, you shall pay restitution to the victim of the offenses charged in the Indictment—namely, Bank of America, 100 North Tryon Street Charlotte, North Carolina 28255—in the amount of \$150 per month, or 15% of your gross monthly income per month, whichever is less, for a total of twelve months; or, if you elect to do so, you may instead make a lump sum payment of \$1,800. Restitution is joint and several with the following defendants in the following cases up to a total of \$387,797.99: Shawndale Lewis in *United States v. Shawndale Lewis*, 20 Cr. 39 (ER) (see Dkt. 79), and Donald Smith in *United States v. Donald Smith*, 20 Cr. 26 (PAC) (see Dkt. 32). Your liability to pay restitution during the term of this Deferred Prosecution Agreement shall continue unabated until either (i) you have paid the full amount of restitution contemplated herein (that is, \$150 per month, or 15% of your gross monthly income per month, whichever is less, for a total of twelve months; or, a lump sum payment of \$1,800), or (ii) Bank of America has recovered \$387,797.99. You shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at <https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the "SDNY Clerk of Court" and mailed or delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. You shall write your name and the docket number of this case on each check or money order.

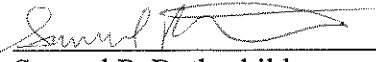
The United States Attorney may at any time revoke or modify any condition of this Deferred Prosecution Agreement or change the period of the Deferred Prosecution Agreement. The United States Attorney may discharge you from supervision at any time. The United States Attorney may at any time proceed with the prosecution of the offenses charged in the Indictment should the United States Attorney, in his or her sole discretion, deem such action advisable.

If upon completion of your supervision a written report from your supervising U.S. Pretrial Services Officer is received to the effect that you have complied with all the rules, regulations,

conditions, and special conditions applicable to your deferred prosecution, no further prosecution will be instituted in this District for offenses charged in the Indictment.

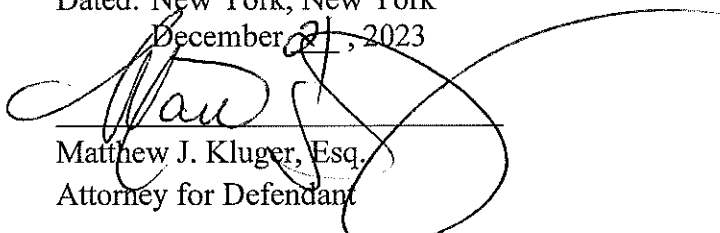
Dated: New York, New York
December 21, 2023


DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 
Samuel P. Rothschild
Assistant United States Attorney
Tel.: 212-637-2504

The undersigned hereby consents to the foregoing and expressly waives any and all rights to a speedy trial pursuant to the Sixth Amendment to the United States Constitution, the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*, and any other pertinent provisions, and consents to the adjournment of all pending proceedings in this case. The undersigned further waives the applicable statute of limitations with respect to any prosecution that is not time-barred on the date that this agreement is signed. It is the intent of this provision to toll the applicable statute of limitations during the pendency of the deferred prosecution.

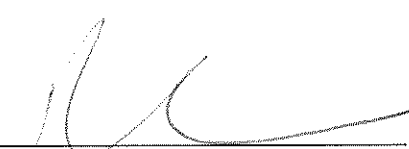
Dated: New York, New York
December 21, 2023


Matthew J. Kluger, Esq.
Attorney for Defendant


Angela Rodriguez
Defendant

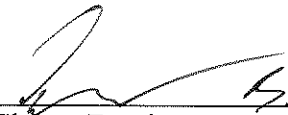
Pursuant to 18 U.S.C. § 3161(h)(2), exclusion under the Speedy Trial Act of the period of time during which the prosecution of the defendant is deferred pursuant to this agreement is hereby approved.

Dated: New York, New York
December 21, 2023


Hon. Ronnie Abrams
United States District Judge

The undersigned hereby consents to the foregoing and will accept supervision of the above-named defendant on the conditions set forth herein.

Dated: New York, New York
December 21, 2023



Shawn Bostic
United States Pretrial Services Officer